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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,479	01/09/2004	Kia Silverbrook	ZE004US	2055
24011	7590	07/16/2004	EXAMINER	
SILVERBROOK RESEARCH PTY LTD			DO, AN H	
393 DARLING STREET			ART UNIT	
BALMAIN, 2041			PAPER NUMBER	
AUSTRALIA			2853	

DATE MAILED: 07/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/753,479

Applicant(s)

SILVERBROOK, KIA

Examiner

An H. Do

Art Unit

2853

An

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 10/120,351.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                               |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>01/09/04</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/120,351, filed on 12 April 2002.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 09 January 2004 was filed and is being considered by the examiner.

### ***Specification***

3. The disclosure is objected to because of the following informalities:  
-Insert --, now U.S. Patent No. 6,672,706.-- in line 1 on page 1 after "April 12, 2002".  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Silverbrook et al (US 6,443,555).

Regarding claim 1, Silverbrook et al disclose in Figures 12 and 13 the following claimed features:

A printing mechanism (56) that comprises:

- a housing (56, 66, 69);
- a pair of spaced support members (43, 59) that are positioned on either side of the housing (56, 66, 69);
- first and second primary rollers (10, 13);
- a first platen (upper metal platen, opposite the printhead units 3, Fig. 13) that is mounted between the support members (43, 59) and is positioned on one side of the rollers (10, 13) to define the print area (print zone);
- a second platen (lower metal platen in contact with feed roller 10 to the media exit point 14) that is mounted between the support members and is positioned on an opposite side of the rollers (10, 13), the primary rollers (10, 13) and the platens (upper and lower metal platens) defining a print medium feed path (beginning at media entry point 11) that extends over an inner side (on top of lower platen) of the second platen (lower platen), the second primary roller (13), and an outer side (on top of upper platen) of the first platen (upper platen), the first and second primary rollers (10, 13) being configured to engage a length of print medium (41) and to drive the print medium (41) along the feed path on rotation of the primary rollers (10, 13);
- a support assembly (Figures 13 and 17, element 8) that is mounted between the support members (43, 59); and

- a printhead assembly (3) that is positioned on the support assembly (Figure 17) and that includes an array of printhead chips (1, 2) that are positioned to span the print area, each printhead chip (1, 2) incorporating a plurality of nozzle arrangements that are directed towards the first platen (upper platen) to carry out a printing operation on the print medium (41) as it passes over the first platen (upper platen).

Regarding claim 2, the primary rollers (10, 13) are rotatable (47) to drive the length of print media (41) successively over the inner surface (on top of lower platen) of the second platen (lower platen), the second primary roller (13) and the outer surface (on top of upper platen) of the first platen (upper platen).

Regarding claim 3, the support assembly (Figure 17) includes a chasis (8) and a channel member (space where the pinthead units 3 are situated on) that is mounted on the chasis (8), the printhead assembly (3) including an ink distribution structure (Figure 19, ink connectors 4) that is positioned in a channel defined by the channel member and the array of printhead chips (1, 2), which are positioned on the ink distribution structure (Figure 19).

Regarding claim 4, the chasis (8) is displaceable (column 6, lines 53-55) towards and away from the first platen (upper platen), the support assembly including a displacement mechanism (24) that is operable to displace the chasis (8) towards and away from the first platen (upper platen).

Regarding claim 6, a brush member (45) is mounted in the housing (56) adjacent the second primary roller (13), the brush member (45) having a profile (sheet 41 is fed

between the brush 45 and secondary roller 13) that corresponds to the secondary primary roller (13) such that the print medium feed path extends between the brush member (45) and the second primary roller (13).

***Allowable Subject Matter***

6. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

The primary reason for the allowance of claim 5 is the inclusion of the limitation of a printing mechanism that includes a cutting mechanism mounted between the support members, the cutting mechanism including a cutter that is displaceable with respect to the first platen to traverse the first platen thereby carrying out a cutting operation on the print medium. It is this limitation found in the claims, as it is claimed in the combination of, that has not been found, taught or suggested by the prior art of record which makes these claims allowable over the prior art.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fabbri (US 6,068,367) discloses in Figures 1-3 a modular printhead (1) having a support frame (3) and a plurality of printhead modules (5), the frame (3) having a plurality of mounting sites (column 4, lines 45-51) for mounting respective printhead modules (5) to the frame (3). Kubatzki et al (US 5,850,240) discloses an ink jet head is composed of three identical ink printer modules (1, 3, 5) and

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two identical spacer parts (2, 4) respectively arranged between them. Crystal et al (US 6,290,332 B1) discloses a reciprocating carriage assembly having twelve individual ink jet pen receptacles and a manual vertical adjustment feature so that precision control of critical printing parameters is easily practiced.

**Contact Information**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An H. Do whose telephone number is 571-272-2143. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



AD  
July 12, 2004

K 711-1, Primary  
7/04